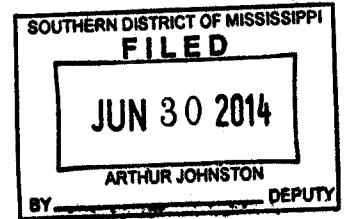


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



LARRY LEE CARRUTH

PLAINTIFF

V.

CIVIL ACTION NO.: 3:14 cv 507 WHB-RHW

JVT ADVISORS
MORPHOTRUST USA, INC.
ALBERT EARL SANTA CRUZ,
IN HIS INDIVIDUAL CAPACITY

DEFENDANT

COMPLAINT
JURY TRIAL DEMANDED

COMES NOW the Plaintiff, Larry L. Carruth, by any through his counsel, Watson & Norris, PLLC, and files this action against the Defendants, JVT Advisors, Morthotrust USA, Inc., and Albert Earl Santa Cruz, in his individual capacity, to recover damages for violation of his constitutional rights, against the Defendants, JVT Advisors, Morphotrust USA, Inc., and Albert Earl Santa Cruz. In support of this cause, Plaintiff would show unto the Court the following facts to-wit:

PARTIES

1. The Plaintiff, Larry L. Carruth, is an adult male resident of Rankin County, Mississippi, residing at 135 Woodlands Glen Circle, Brandon, Mississippi 39047.
2. The Defendant, JVT Advisors, principle place of business located at 35 New England Business Center, Andover, Massachusetts 01810
3. Morphotrust USA, Inc., is a Delaware corporation licensed to do business in the State of Mississippi and may be served through its registered agent: Corporation Service Company, 506 South President Street, Jackson, Mississippi 39201-5301.
4. Defendant, Albert Earl Santa Cruz, Commissioner of the Mississippi Department of

Public Safety, may be served at his place of business, 1900 West Woodrow Wilson, Jackson, Mississippi 39205.

JURISDICTION AND VENUE

5. This court has jurisdiction as Plaintiff has brought claims pursuant to Federal law.
6. This court has venue for the claims asserted.

STATEMENT OF FACTS

7. Plaintiff's wife, Amy Carruth, was hired as the Administrative Director of Support Services with the Mississippi State Highway Patrol Department, during Governor Barbour's administration. Amy took the place of Gail Mills.

8. During this time, Steve Simpson was the Commissioner of the Mississippi State Highway Patrol. Steve Simpson stepped down in April, 2011, to run for Attorney General against Jim Hood. In June, 2011, Governor Barbour appointed Albert Santa Cruz as the Commissioner of the Mississippi State Highway Patrol.

9. In August, 2011, Commissioner, Santa Cruz hired Gail Mills, as his Chief of Staff, the same Gail Mills that Amy Carruth replaced during Governor Barbour's administration.

10. Amy Carruth began to catch a lot of heat from Gail Mills.

11. When Governor Phil Bryant took office, Amy was released of her duties.

12. Before working with the Defendants, Plaintiff worked for MDOT.

13. Plaintiff was hired by the Defendant, Morphotrust USA, Inc., on September 15, 2012, as a Business analyst. Plaintiff was contracted through JTV Advisors to work for Morphotrust USA, Inc.

14. Bryan Tabordda with JTV, contracted Plaintiff to work on a \$51 million dollar

Mississippi project with Morphotrust USA, Inc., funded by the Mississippi State Highway Patrol.

15. Upon hire, Plaintiff, disclosed to Mary Roberts, with Morphotrust, that the position and duties that he was being hired for was once the agency where his wife was the director of support services for the past five years. Ms. Roberts assured Plaintiff that this would not affect his employment with the Morphotrust. Ms. Roberts also told Plaintiff that he was invaluable to this project.

16. Plaintiff, while on his second week on the job, flew to Boston, MA. During this trip, Plaintiff ran into Steve Simpson, the Ex-Commissioner of the Mississippi State Highway Patrol. Steve Simpson was on contract with the State's knowledge with Morphotrust. Morphotrust also contributed to Steve Simpson's campaign when he ran against Jim Hood.

17. On November 11, 2012, Morphotrust had a kick off meeting in Jackson, MS. Attendees at the meeting were employees with the Mississippi State Highway Patrol. All of the attendees knew Plaintiff and his wife very well. Commissioner Santa Cruz and Gail Mills, however, were not at the meeting. Plaintiff was asked to stand up as he was introduced to everyone at the meeting and was told he would be the one gathering required information on the project.

18. From the date of this meeting through Christmas holidays, Plaintiff was at all locations of the Mississippi State Highway Patrol ("MSHP")

19. On one occasion while Plaintiff was at the MSHP's Biloxi location, Plaintiff was outside talking to a civilian about his experience at the facility, a state trooper came out the door yelling at a civilian. Afterwards, Plaintiff went over to the trooper and introduced himself. The trooper was Mike Santa Cruz, son of Commissioner Santa Cruz.

20. During the Christmas holiday's, Plaintiff became ill. Upon returning to work,

Plaintiff never step foot back on any of MDPS's properties.

21. On February 5, 2013, Ms. Roberts was told that Plaintiff was off the Mississippi project and not welcome on DPS/MHP property. Ms. Roberts was also told that per Commissioner Santa Cruz, Plaintiff was a "security threat" and a "conflict of interest." Commissioner Santa Cruz said that "Plaintiff, over his dead body, would not be on the project."

22. At that time, Ms. Roberts told Plaintiff to keep doing what he was doing and keep his head down. Ms. Roberts told Plaintiff that she was working on finding Plaintiff a spot within the company and that he would still have a job. Ms. Roberts also told Plaintiff to have limited conversation with his wife. Plaintiff was officially off the Mississippi project and was told if anyone asked him, he was to tell them that he was now on the product side. Ms. Roberts also told Plaintiff that more than likely their contract with JVT would have to be broken, and that way Plaintiff could be made a permanent employee sooner. However, Plaintiff was terminated on June 28, 2013.

CAUSES OF ACTION

COUNT ONE: FIRST & FOURTEENTH AMENDMENT VIOLATION EQUAL PROTECTION (Political Affiliation) THROUGH 42 U.S.C. § 1983

23. Plaintiff incorporates by reference all prior allegations of the Complaint into this Count.

24. Plaintiff was denied permanent employee status and eventually terminated because of Defendants' actions.

COUNT TWO: CONSPIRACY

25. Defendants conspired to terminate Plaintiff's employment because of his wife's political affiliation.

26. Such actions of are actionable under First & 14th Amendment to the Constitution,

Section 42 U.S.C. §§ 1985 and 1986.

**COUNT THREE: TORTUOUS INTERFERENCE WITH BUSINESS
AND/OR CONTRACTUAL RELATIONS**

27. Plaintiff incorporates the above paragraphs 1 through 26 as though specifically set forth herein and alleges as follows:

28. Defendant, Santa Cruz's actions constitute tortious interference with contractual and/or business relation in violation of the laws of the State of Mississippi. Defendant, Santa Cruz, has tortiously interfered with Plaintiff's employment relationship with Defendant JVT and Morphotrust USA, Inc., resulting in the termination of that employment relationship.

29. Plaintiff has suffered an adverse employment action which has resulted in significant damages to Plaintiff, as a result of Defendant's intentional interference.

30. Plaintiff has been harmed as a result of the Defendant's interference, and Defendants are liable to Plaintiff for the same.

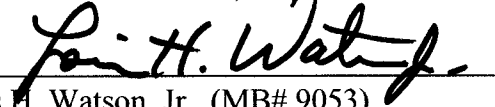
WHEREFORE PREMISES CONSIDERED, Plaintiff respectfully prays that upon hearing of this matter by a jury, the Plaintiff be granted the following relief in an amount to be determined by the jury:

1. Reinstatement or future wages in lieu of reinstatement;
2. Back pay;
3. Compensatory damages;
4. Punitive damages;
5. Attorney's fees;
6. Costs and expenses; and
7. Any other relief to which he may be properly entitled.

THIS the 30th day of June, 2014.

Respectfully submitted,

LARRY L. CARRUTH, PLAINTIFF

By: 

Louis H. Watson, Jr. (MB# 9053)

Nick Norris (MB#101574)

Attorneys for Plaintiff

OF COUNSEL:

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